

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**June 4, 2009**

**DIVISION ONE**

[illegible]

The judgment is reversed.

Mallano, P.J.

We concur: Rothschild, J.  
Weisberg, J. (Assigned)

B208912 People (Not for Publication)  
v.  
Gomez

The judgment is affirmed.

Mallano, P.J.

We concur: Rothschild, J.  
Weisberg, J. (Assigned)

## DIVISION ONE (continued)

B195505 People (Not for Publication)  
v.  
Weller

The judgment is affirmed.

Mallano, P.J.

We concur: Rothschild, J.  
Weisberg, J. (Assigned)

B202362      Rodriguez, et al.      (Not for Publication)  
v.  
Lynn et al.

The order granting the special motion to strike is reversed as to the cause of action for malicious prosecution and is affirmed as to all other causes of action. The orders awarding attorney fees to Freshtex California, Inc., and David Lynn and Law Offices of David Lynn are vacated. Plaintiffs are entitled to costs on appeal from defendants David Lynn and Law Offices of David Lynn.

Mallano, P.J.

We concur: Rothschild, J.  
Weisberg, J. (Assigned)

B207428 Richard, (Not for Publication)  
v.  
Hung

The order appointing a receiver is affirmed. Respondent's motion to dismiss the appeal is denied.

Ferns, J. (Assigned)

We concur:   Mallano, P.J.  
                      Rothschild, J.

DIVISION ONE (continued)

B208943      Kempton et al.                      (Not for Publication)  
                 v.  
                 Cooper

The judgment is affirmed, and the motion for sanctions on appeal is denied.  
Cooper shall recover her costs on appeal.

Ferns, J. (Assigned)

We concur:   Mallano, P.J.  
                 Rothschild, J.

B207351      People                                      (Not for Publication)  
                 v.  
                 Danielson

The judgment is affirmed.

Ferns, J. (Assigned)

We concur:   Mallano, P.J.  
                 Rothschild, J.

B203233      People v. Guillory                      (Not for Publication)  
B212629      In re Guillory on Habeas Corpus

The judgment is affirmed. The petition for writ of habeas corpus is  
denied.

Weisberg, J. (Assigned)

We concur:   Mallano, P.J.  
                 Rothschild, J.

June 4, 2009 (Continued)

## DIVISION ONE (continued)

[illegible]

The judgment is affirmed.

Mallano, P.J.

We concur: Rothschild, J.  
Weisberg, J. (Assigned)

DIVISION THREE

B198550      Moore      (Certified for Publication)  
v.  
Superior Court, Los Angeles County  
(The People, r.p.i.)

The order to show cause is discharged. The petition for writ of mandate is granted. Let a peremptory writ of mandate issue directing respondent superior court to: vacate its order denying Moore's motion to stay the SPVA proceeding and to initiate a competency hearing; and to conduct further proceedings not inconsistent with this opinion.

Klein, P.J.

We concur:   Croskey, J.  
                      Aldrich, J.

## DIVISION FOUR

B206332      People      (Not for Publication)  
v.  
Gabrielyan

The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.  
Willhite, J.

DIVISION FIVE

B209880      Raquel Cruz      (Not for Publication)  
v.  
James Martin

The judgment is affirmed. Each party to bear their own costs.

Kriegler, J.

We concur:   Turner, P.J.  
                  Mosk, J.       (with opinion)

B205314      Unlimited Adjusting Group, Inc. et al      (Certified for Publication)  
v.  
Wells Fargo Bank

The judgment is affirmed. Respondent(s) to recover costs.

Mosk, J.

We concur:   Armstrong, Acting P.J.  
                      Kriegler, J.

## DIVISION FIVE (continued)

B208163      People                                  (Not for Publication)  
v.  
Fermin Cantoran

The judgment is affirmed.

Kriegler, J.

We concur:   Turner, P.J.  
                      Mosk, J.

B211219      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
T.G.  
In re J.D. et al., Persons Coming Under the Juvenile Court Law.

The judgment is affirmed.

Armstrong, J.

We concur:   Turner, P.J.  
                      Mosk, J.

B210634 J. DeLuca Fish Company (Not for Publication)  
v.  
State Fish Company

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur: Mosk, J.  
Kriegler, J.

DIVISION SIX

B212249 People (Not for Publication)  
v.  
Gonzalez

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Perren, J.

## DIVISION SEVEN

B201186      Luchs  
v.  
Pro Tect Management Corp. et al.,

Filed order denying petition for rehearing.

## DIVISION EIGHT

B207470      Roni Hemsley      (Not for Publication)  
v.  
Robert Ross

The judgment is affirmed. Respondent is to recover his costs on appeal.

Bigelow, J.

We concur: Rubin, Acting P.J.  
Bauer, J. (Assigned)

DIVISION EIGHT (continued)

B202790      Barbara Gwenn Grauman                      (Not for Publication)  
                 v.  
                 Gary Jay Grauman  
                 In re Marriage of Barbara Gwenn and Gary Jay Grauman

The judgment is affirmed. Respondent is to recover his costs on appeal.

Flier, J.

We concur: Rubin, Acting P.J.  
                 Bigelow, J.

B204887      Stephen Bier    (Not for Publication)  
                 v.  
                 Grodsky & Olecki

The order granting G&O's section 425.16 special motion to strike is affirmed. Upon timely application, G&O is to recover reasonable attorney fees and costs on appeal, and the matter remanded to the trial court with directions to determine such fees and costs.

Flier, J.

We concur: Rubin, Acting P.J.  
                 Bauer, J. (Assigned)

B206468      People    (Not for Publication)  
                 v.  
                 Deroy John Green III

The judgment dated February 5, 2008, reflecting the modified sentence, is affirmed.

Bigelow, J.

We concur: Flier, Acting P.J.  
                 Bauer, J. (Assigned)

DIVISION EIGHT (continued)

B214991      Los Angeles County, D.C.F.S.  
                 v.  
                 K.R.

B216281      Los Angeles County, D.C.F.S.  
                 v.

B216174      R.H.  
                 Los Angeles County, D.C.F.S.  
                 v.  
                 R.H.

Filed order consolidating above captioned appeals.

B210760      Estes  
                 v.  
                 City of Los Angeles

B215596      Estes  
                 v.  
                 City of Los Angeles

Filed order consolidating above captioned appeals.